

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO. 04-00197 HG 03
)	
Plaintiff,)	DECLARATION
)	
vs.)	
)	
JUBILEE EDWARD LOGAN, (03))	
)	
Defendant.)	
_____)	

DECLARATION

RICHARD S. KAWANA, hereby declares as follows:

1. Declarant is the court-appointed attorney for Defendant Jubilee Edward Logan;
2. Defendant was sentenced by the court to imprisonment for a term of 87 months pursuant to the Judgment in a Criminal Case, filed January 25, 2006, and was ordered to “surrender for service of sentence at the institution designated by the Bureau of Prisons: before 2:00 p.m. on February 23, 2006.”
3. After checking with the U.S. Marshal’s office through the weeks of February 6 and February 13, 2006, declarant learned that an institution has not yet been designated (as of February 17) by the Bureau of Prisons (BOP) and declarant had sought the court’s permission to extend the time of Defendant’s mittimus so that he would have adequate time to make travel arrangements to be able to self-surrender at the institution to be designated by the BOP;

4. During this period, I was advised by Defendant:

a. That he was involved in an automobile accident in Laie, Hawaii, in which he was rendered unconscious and suffered serious injuries that required him to be evacuated by emergency helicopter to Queen's Medical Center in Honolulu for treatment;

b. That he was determined to have suffered a broken knee/shin that required major surgery to correct the break by the use of plates and screws, and that he would be unable to place any weight on the broken leg for at least eight weeks, and that for another four weeks he would be able to place only 50 per cent of his normal weight on the leg, and that until his injury healed sufficiently, he would be unable to move around and would have to be cared for by other people;

c. That he is unsure as of this date when he will be discharged from the hospital;

5. I have discussed defendant's injury and hospitalization with U.S. Pretrial Services Officer David Kahunahana, and Mr. Kahunahana advised me that he had confirmed Defendant's injuries and received a communication from Dr. J.D. D'Alleyrand, defendant's orthopaedic surgeon at Queen's Hospital, confirming the defendant's medical condition and prognosis; a true and correct copy of the communication from Dr. D'Alleyrand forwarded to me by Mr. Kahunahana is attached hereto as Exhibit "A";

6. Dr. D'Alleyrand states in his communication as follows: "Jubilee Logan has a broken knee that was repaired by me at Queen's Hospital. It is held together with plates/screws and he will be non weightbearing x 8 wks then 50% weightbearing x

another 4 wks.”

7. Mr. Kahunahana advised me that in view of the defendant’s medical condition that a continued mittimus at least 12 weeks until early June 2006 would be appropriate in Mr. Logan’s case, to allow for his recovery from his injuries and provide him time to arrange to travel to his designated institution to self-surrender;

8. Declarant therefore submits that there is good cause for a continuance of the mittimus in defendant’s case until June 8, 2006.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: Honolulu, Hawaii, February 17, 2006.


RICHARD S. KAWANA